$ 50

Town of Buxton
Application for a Conditional Use

Map 7 Lot 59-1-1 District(s) Res Lot Size 4.14 YC Deed Book 18391 Page 231

Current Use — Proposed Use 20 birds + coop

Name of Applicant(s) Paul Levesque

Mailing Address 292H Dunnell Rd City/Town Buxton Zip 04093

Telephone Number Days 207.409.7905 Evenings 207.284.3687

Name of Owner if Different

Name, Address & Phone Number to whom all correspondence shall be sent above

Location of Property: Please describe how to find the property.

Is ANY PART OF THE PROPERTY WITHIN the 100-YEAR FLOOD PLAIN as shown on the Flood Insurance Rate Maps of Buxton? _____ Yes X No

IS APPROVAL FROM OTHER LOCAL, STATE OR FEDERAL AGENCIES REQUIRED?

_____ Yes X No If Yes, Please indicate agency names.

IF construction of a SUBSURFACE WASTE WATER DISPOSAL SYSTEM IS PROPOSED a copy of the site evaluation and a copy of the plumbing permit MUST be submitted with this application.

Type of SEWAGE DISPOSAL

WATERSOURCE of property

Does the use involve TRANSPORTATION, STORAGE, GENERATION OR DISPOSAL OF HAZARDOUS MATERIALS? (gas, oil, fuels etc.) _____ Yes X No

This application must include the following to be considered complete:

1. **A SKETCH PLAN of the property which clearly shows the location of the proposed structures, driveways, parking areas, wastewater disposal areas, water supplies, outdoor lighting, signs and other improvements MUST BE SUBMITTED WITH THIS APPLICATION. Please show dimensions of all structures, distances from property lines as well as distances to abutting structures, wells and wastewater disposal areas. Unless Specifically waived by the Planning Board this information is required.**

2. **On a separate sheet LIST THE NAMES AND ADDRESSES OF ABUTTING PROPERTY OWNERS (including those on the opposite side of the Road directly across from the property under review.)**

3. **Answers to all questions in Section 8.2.B, Article 10 and if applicable 8.2.A and Article 11, MUST BE RECEIVED WITH THIS APPLICATION along with any other information you feel will assist the Planning Board in determining whether the standards in the Buxton Zoning Ordinance have been met.**

4. **Ten (10) copies of exhibits must be submitted with the completed application to start the process. If the applicant does not supply them, there will be a .10 per copy charge on the final billing.**

5. **Application fee of ~~$300.00~~ $50 paid to the "Town of Buxton".**

I certify the information contained in this application and its supplements are true and correct.

Signed _____ Date 12/4/23

Received by _____ Date _____

Fee Received $ _____ Check # _____ Cash _____ Date _____

Fee Received by _____ Conditional Use Scheduled to be heard on 1/8/24, _____ at the Buxton Municipal Building on the Portland Road. The meetings start at 7:00 p.m. and are generally held the 2nd and 4th Monday of the month. All information and applications need to be in the office by noon one (1) week prior to the meeting.

Revised 8/20

8.2.B.The applicant shall present adequate evidence, where appropriate, in order for the Planning Board to find that:

8.2.B.1. The proposed use will not adversely affect the value of adjacent properties. The proposed use will not have a significant detrimental effect on the use and peaceful enjoyment of adjacent properties as a result of noise, vibrations, fumes, odor, dust, glare or other cause.

The birds do make a significant noise when startled (strangers on property) and when being let out for the day, but otherwise are not excessively loud.

8.2.B.2. Access to the site from existing and proposed roads is safe and adequate. The proposed use will not cause or aggravate undue traffic congestion.

No road changes or use needed.

8.2.B.3. Any proposed development is in conformance with all flood hazard protection regulations as outlined in Article 14.

Not in flood plain; no changes being made to land or structures.

8.2.B.4. Adequate provision for the disposal of all wastewater and solid waste has been made.

Per planning resources suggested by the USDA, 20 birds of average or greater weight than ours are expected to produce <40 cu. Ft. of solid waste per year so waste will be very easy to manage and remove. It is currently removed from the property or used for fill or fertilizer.

8.2.B.5. Adequate provision for the transportation, storage and disposal of any hazardous materials has been made.

No hazardous materials are being used.

8.2.B.6. A storm water drainage system capable of handling a 25 year storm without adverse impact on adjacent properties has been designed.

No changes are being made to storm water drainage.

8.2.B.7. An erosion and sedimentation control plan has been prepared by a qualified professional source.

Water use for 20 birds is not significant enough to cause erosion worry, but no plans or consults have been made.

8.2.B.8. There is adequate water supply to meet the demands of the proposed use and for fire protection purposes.

No changes are being made to existing water sources or structures.

8.2.B.9. That all performance standards in this Ordinance, applicable to the proposed use will be met.

Article 10

1. No changes are being made to access
2. Little to no dust etc. will be generated
3. Sand bags will be placed at edge of "swimming puddle" as needed to limit excessive drainage onto neighbors lot (there is a natural ≈40'x15' depression that fills with water during spring)
4. No explosives or hazardous materials used
5. Area is not in flood plain
6. Birds make noise periodically throughout the day, but are typically loud only when startled (strangers on property) or when being let out for the day. They are silent after sundown.
7. No changes to parking
8. Other than sandbags being added if needed, no changes are being made to the property
9. Per planning resources suggested by the USDA, 20 birds of average or greater weight than ours are expected to produce <40 cu. Ft. of solid waste per year so waste will be very easy to manage and remove. It is currently removed from the property or used for fill or fertilizer.
10. No structures are being built and the "paddock" area is far enough from wells.
11. No signs are being changed or placed
12. No soil changes are being made or expected
13. There is no change to storm water runoff or structures being built.
14. Out of an abundance of caution, we will test our well for presence of significant chemical changes or presence of coliform bacteria, but due to the set back from the well, the surface drainage pattern, depth of well (~400 ft.?), and grade of the land, no water quality changes are expected.
15. No changes are being made to the land
16. No special lighting is being used.
17. No permanent structures have been built or changed.

11.3 Animal Husbandry.

When permitted as a Conditional Use, animal husbandry shall meet the following standards:

11.3.A. All pasture, barns, barnyards and other areas where the livestock, animals or fowl are kept, housed, fed or cared for shall be a minimum of one hundred (100) feet from the nearest dwelling other than the applicant's.

Pasture and coop are over 100 feet from dwellings.

11.3.B. All uncovered manure shall be kept 150 feet from the nearest dwelling other than the applicant's and 300 feet from any body of water or well. Manure shall not be stored or stockpiled within one hundred (100) feet, horizontal distance, of Bonny Eagle Pond, or within seventy five (75) feet, horizontal distance, of other water bodies, tributary streams or wetlands. Within five (5) years of the effective date of this Ordinance (March 8, 1986), all manure storage areas within the Shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated storm water. Existing facilities which do not meet the setback requirement may remain but must meet the no discharge provision within the above five (5) year period.

No uncovered manure will be stored.

11.3.C. All feed and grain shall be stored in rodent proof containers.

Covered trash bins house all grain.

11.3.D. All paddocks, pastures, barnyards or other enclosures must be adequately fenced to contain livestock, animals or fowl.

Birds can be contained in 2 outside areas or the coop, but are also allowed to free range on the property.

11.3.E. The Planning Board shall limit the number and species of animals permitted. The Board shall consider the size and layout of the lot, the size of adjacent lots, the presence of vegetative screening and buffer strips and the potential for noise, odor and vermin problems.

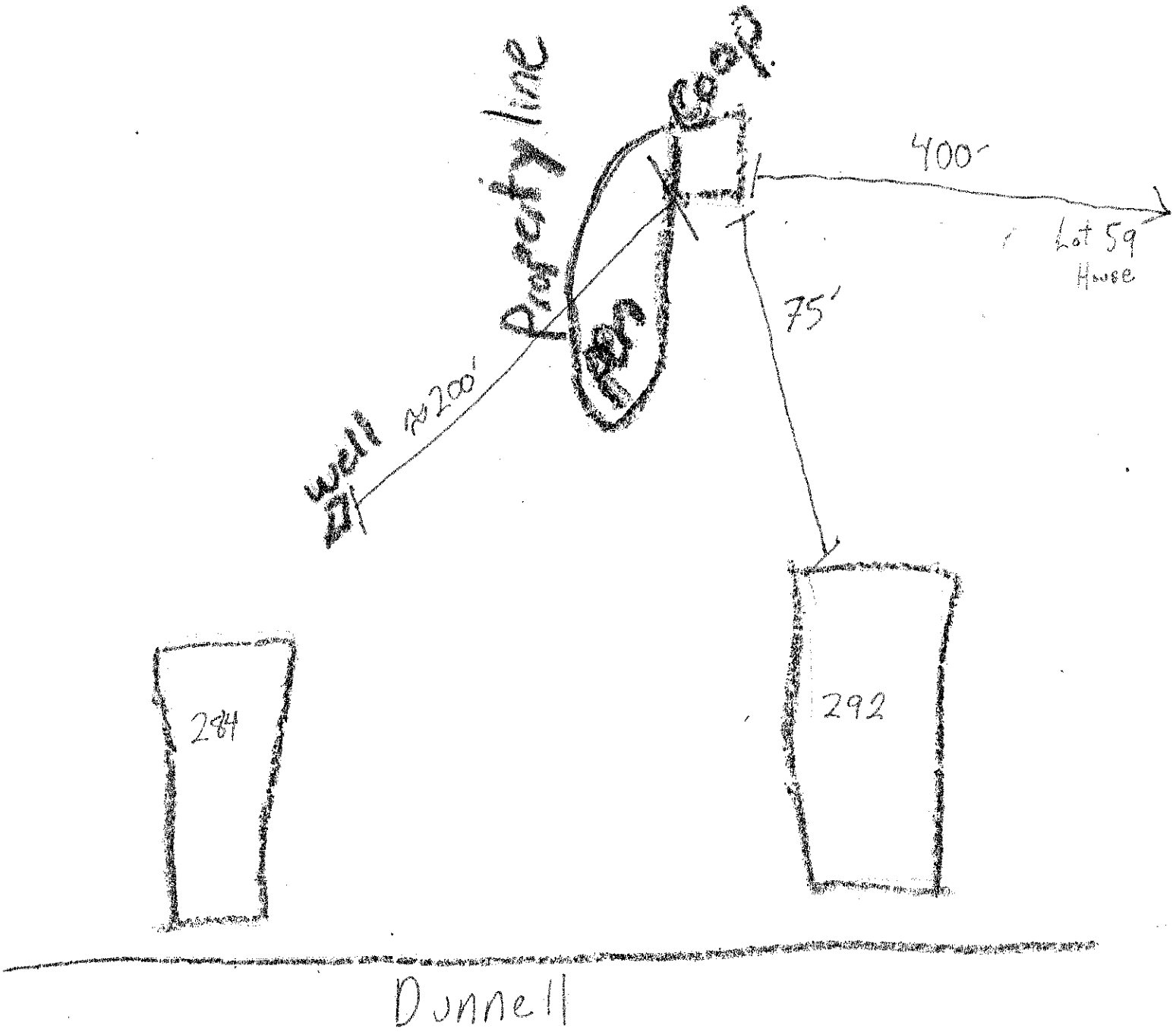
8 ducks, 3 geese, and 9 chickens are kept in an 8′x16′ coop. They are allowed into a grazing area daily that is adjacent to the property line, but at its closest point is >125′ from nearest neighbor's house. The coop (opposite corner) is >200′ away. A plastic construction barrier fence prevents them from crossing the line.

11.3.F. After the effective date of this Ordinance, newly established livestock grazing areas shall not be permitted within one hundred (100) feet, horizontal distance, of the normal high water line of a great pond classified GPA, within seventy five (75) feet, horizontal distance, of other water bodies, nor within twenty five (25) feet, horizontal distance, of tributary streams and wetlands. Livestock grazing associated with ongoing farm activities and which are not in conformance with the above setback provisions may

continue, provided that such grazing is conducted in accordance with a Soil and Water Conservation Plan.

Grazing area/paddock is at least 100 feet from any year-round bodies of water. In the spring, their "puddle" fills up, but after heavy rainfall stops for a couple of weeks, this remains dry.

Dunnell
292 Dunnell Rd.
Shed
Coop 8x16
~3'
pond



Received 4/8/04 @ 710pm . Z6

Untitled map

Untitled layer

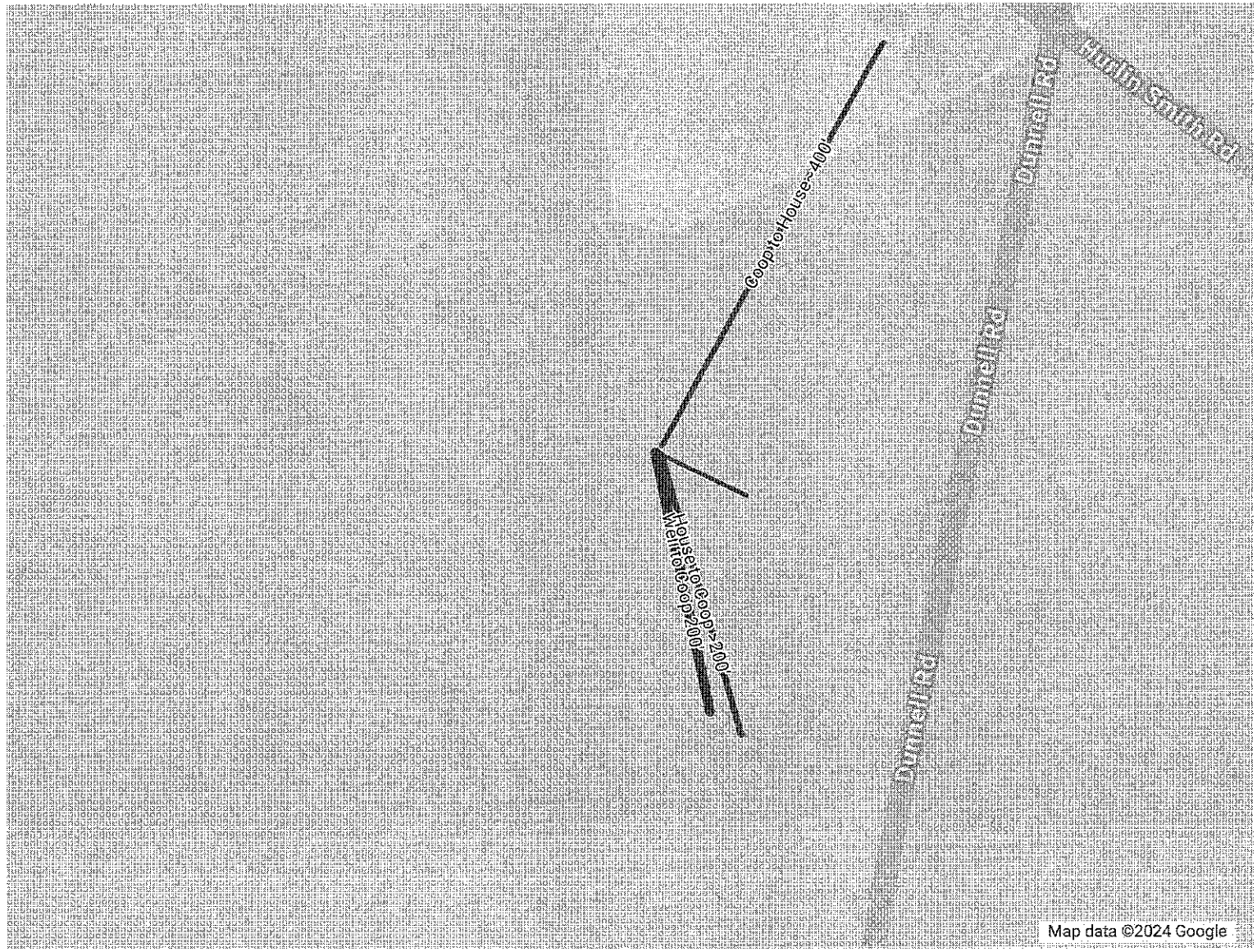
Well to Coop 200'

House to Coop >200'

Coop to House~400'

House to Coop 75'

Untitled layer



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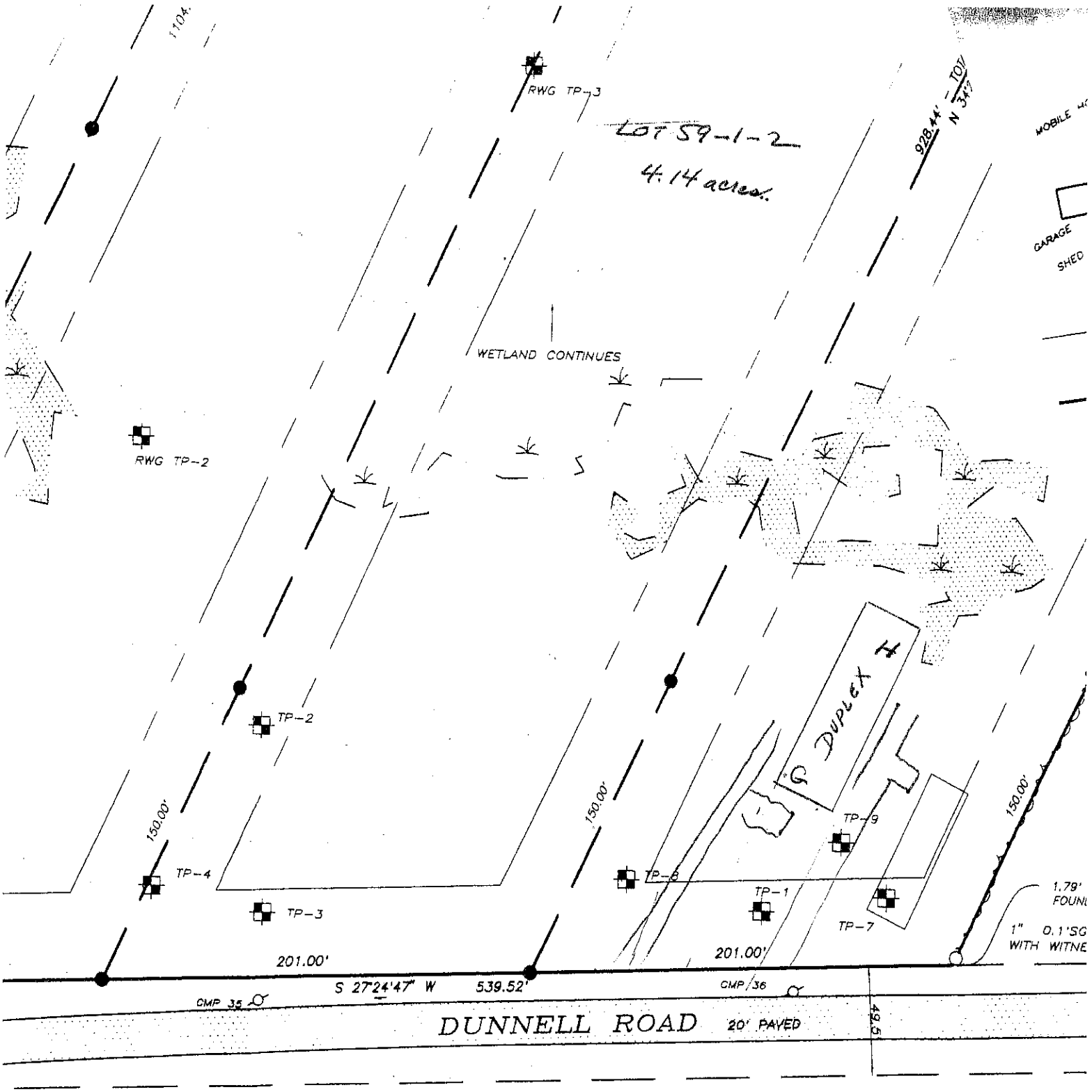


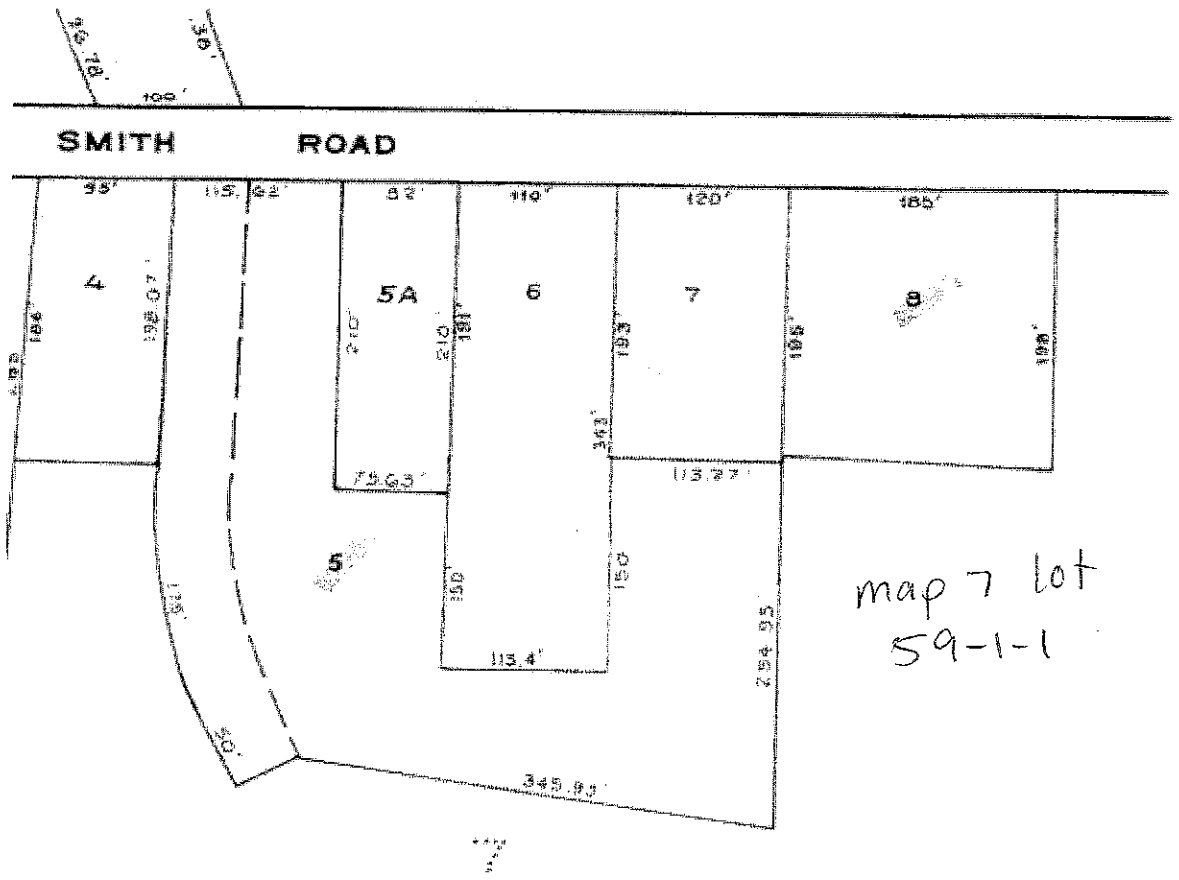
1/9/24 - note wetlands

240

N/F
CYNTHIA McEWEN
2282/327

not mapped Shoreland zone wetlands.

map18



map 7 lot
59-1-1